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OFFICE OF PETITIONS

Applicant: Sylvain Kravtchenko et al.

Appl. No.: 09/836,703

Filing Date: April 18, 2001

Title: COMPOSITIONS FOR OXIDATION DYEING KERATINOUS FIBERS COMPRISING
AT LEAST ONE 1-(4-AMINOPHENYL) PYRROLIDINE AND AT LEAST ONE CATIONIC
POLYMER, AND DYEING METHODS

Attorney Docket No.: 05725.0881-00

Pub. No.: US 20020053111 A1

Pub. Date: May 9, 2002

This is a decision on the request for corrected patent application publication under
37 CFR 1.221(b), filed on July 9, 2002 for the above-identified application.

The request is granted-in-part.

The corrected patent application publication will be published in due course and will only include
corrections for errors made by the Office.

A patent application publication is based on the application papers as originally filed, according to
37 CFR 1.215(a), which says the following, in part:

(a) . . . The patent application publication will be based upon the application papers deposited on the
filing date of the application, as well as the executed oath or declaration submitted to complete the
application . . . The patent application publication will not include any amendments, including
preliminary amendments, unless applicant supplies a copy of the application containing the amendment
pursuant to paragraph (c) of this section.

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent
from Office records." The instant request includes mistakes that are not the fault of the Office,
which will not be corrected by a corrected publication made by the Office.

Specifically, the error applicant labels "T" in the request includes only one Office error, in that
the other alleged errors are not clearly Office errors. The subscripts are fuzzy, faint and blurred
such that no mistake is apparent for the Office records. Only the first lower "--CH₃" group should
be corrected, the other requested corrections in this formula should not be corrected, as they are
not clearly Office errors.

Specifically, the errors applicant labels "E", "F", "H", "N", "R", "S", "W", "AA" in the
request will not be corrected as the published application correctly reflects the application as
originally filed, see pages 18, 24, 30, 44, 63, 64, 68 and 75 respectively, which do not clearly
show the formulas as suggested by applicant's representative. Many of the subscripts and
superscripts are fuzzy, faint and blurred such that no mistake is apparent for the Office records.

The applicant is advised that he may want to consider filing an amendment replacing many of the chemical formula in the specification as originally filed, as many of the subscripts in the chemical formulas are not legible and errors might occur in any patent that issues from the application.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application in compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

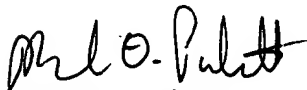
Any request for reconsideration of this decision, should be addressed as follows:

By mail to: Box PGPUB
 Commissioner for Patents
 Washington, DC 20231

By facsimile: 703-305-8568

The application is being forwarded to the Office of Pre-Grant Publication (PG-PUB) in Crystal Park 3-905 for further processing.

Inquiries relating to this matter may be directed to Mark Polutta at (703) 308-8122 (voice) or (703) 746-3465 (facsimile).



Mark O. Polutta
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy